

**JOHN L. RUSSO**  
ATTORNEY AT LAW

**COUNSEL**  
Milton Florez, Esq.  
Michael Horn, Esq.

**J.L. Russo, P.C.**  
31 · 19 Newtown Avenue, Suite 500  
Astoria, New York 11102  
Tel: 718 · 777 · 1277  
Fax: 718 · 204 · 2310  
Email: [JLRussoPC@Gmail.com](mailto:JLRussoPC@Gmail.com)

**PARALEGAL**  
Maria Nunez, B.S.

October 17, 2023

**Via ECF Only**

The Honorable John G. Koeltl  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

*Application granted - Surrender  
date extended to 1/8/24 and the  
Court continues to recommend.  
FCI FT. Dix, N.Y. so order  
96/Kedp/US D.S.  
10/17/23*

Re: United States v. Burgos-Hernandez et al. 22 Cr. 133 (JGK)

Your Honor:

This office represents Rudy Burgos-Hernandez, a defendant in the above referenced matter. On July 20, 2023, the Court sentenced Mr. Burgos-Hernandez to a term of 17 months and he is scheduled to begin serving his prison term by surrendering to FCI Fort Dix on October 20, 2023. **We write here to respectfully request that the Court postpone Mr. Burgos-Hernandez' surrender date to January 8, 2024 - with no objection from the Government or Pretrial Services.** We also ask that the Court recommend to the Bureau of Prisons that it continue its designation of Mr. Burgos-Hernandez to FCI Fort Dix.

Since May of 2022, Rudy Burgos- Hernandez has complied with the conditions of his pre-trial release, including attending his sentencing hearing on July 20, 2023. Mr. Burgos-Hernandez' Mother will be arriving from surgery from the Dominican Republic at the end of this month and is hoping that Rudy can care for her at his home while she convalesces and heals here. It would also provide her with an opportunity to spend the Holiday Season with her Son before he reports to prison to serve his sentence. Additionally, as the conditions at the MDC continue to deteriorate, it is our hope that Mr. Burgos Hernandez can report directly to the BOP facility designated (here, FCI Fort Dix) to serve his sentence.

The Court's consideration of this request is respectfully appreciated. Thank you.

Yours truly,

*John Russo*  
John L. Russo



Cc: AUSA Saarah Kushner  
USPO Ashley Cosme

